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TAGS: KPAO KDEM KMPI PREL ECON LE

SUBJECT: MGLE01: QUARTERLY REPORT ON FREEDOM AGENDA

REF: A. 05 STATE 152818

¶B. 05 BEIRUT 2208

¶C. BEIRUT 608

Classified By: Ambassador Jeffrey D. Feltman for reason 1.4 (d).

#### INTRODUCTION

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¶1. (C) This is post's progress report for the second quarter of FY-06 on the Lebanon country strategy for democratic reform. Refs A and B identified three outcomes for our country strategy:

- a new electoral law,
- competent, effective, transparent government, and
- reform of the judiciary.

¶2. (U) The last quarterly progress report submitted was Ref ¶C. Post's MEPI executive committee has since reviewed progress made toward these three outcomes over the second quarter of FY-06. Following are the main issues in each area.

#### A NEW ELECTORAL LAW

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¶3. (SBU) This quarter saw delays in progress towards a new, more equitable electoral law. The deadline for the national commission charged with reforming the electoral law, already extended in the previous quarter, was extended further as members grappled over the politically charged issue of the number, size, and shape of electoral districts.

¶4. (SBU) In early March, the commission's two Maronite Christian members resigned, ostensibly because the other commission members were considering proposing more than one districting scheme in the final draft. In reality, there is widespread anxiety in the Christian community that the draft law's districting scheme would somehow disenfranchise Christian voters. This was surely a factor in the two commission members' resignations.

¶5. (SBU) Minister Siniora prevailed on the two resigned members to re-join the commission on March 23, after commission members reportedly committed themselves to agreeing on a single districting scheme in the final draft of the law. The cabinet has currently extended the mandate of the commission until May 31. Christian communal sentiment against anything but the smallest possible electoral districts (so that most Christian MPs are elected by Christian majorities, at least in theory) remains a formidable barrier to anything that the commission produces.

**¶6.** (SBU) Funded by the DRL Bureau, IFES experts continued to be available for specific research and analysis taskings from individual Commission members. A visiting IFES team of experts provided a detailed analysis of the draft law as it stood in mid-March, pointing out that the draft was a good one overall, but contained some problematic elements.

**¶7.** (SBU) IFES also continued to provide limited support through a UN-organized technical secretariat. That technical secretariat appeared increasingly irrelevant as commission

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members came to loggerheads over the districting issue. By tightly controlling the commission's access to information and expertise through the technical secretariat, the UN appears in retrospect to have created, and then defended, a void around the commission.

**¶8.** (SBU) The Embassy continued to coordinate closely with an informal consortium of Lebanese and international NGOs (IFES, NDI, Lebanese Transparency Association (LTA), Lebanese Center for Policy Studies) in preparing for "phase two" of the electoral reform process, which begins when the Commission submits a proposed draft law and supporting documentation to the Prime Minister, now presumably on May 31.

**¶9.** (SBU) The consortium's strategy for "phase two" will focus on public awareness of electoral reform as a way of building constituencies for change. LTA's MEPI-funded public awareness project remained ongoing, but the lack of a final draft law prevented LTA from conducting the "phase two" element of its statement of work. The UN indicated that it would play an even more "hands-off" role during "phase two."

COMPETENT, EFFECTIVE, TRANSPARENT GOVERNMENT

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**¶10.** (SBU) In the second quarter of FY-06, Prime Minister Siniora chaired three cabinet sessions, during which most of his ministers were briefed on his draft economic reform program. Separately, Siniora also briefed economic associations, the bankers' association, and selected prominent economists. This is part of a process of briefing all stakeholders, including labor organizations, in order to obtain essential political "buy-in" for the program. A special cabinet session to discuss the draft reform program was scheduled for March 27, but postponed because of the Arab League Summit.

**¶11.** (SBU) Specific MEPI and related programs and activities aimed at this outcome during the quarter included a preliminary visit by a staff delegation of the House Democracy Assistance Commission, to explore possibilities for the U.S. Congress to provide technical assistance to the Lebanese Parliament. USAID continued to promote transparency through "e-government" initiatives, which link municipal databases with those of the central government. As a member of the "Core Group" of friends of Lebanon, the United States encouraged the Siniora government's development of an economic reform plan that addresses much-needed administrative reform measures.

**¶12.** (SBU) In response to a campaign of bombings and assassinations aimed at destabilizing Lebanon and rolling back its recent gains in sovereignty, post prepared to launch a program to assist Lebanese law enforcement authorities in forming "evidence response teams" using FBI trainers.

REFORM OF THE JUDICIARY

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**¶13.** (SBU) Lebanon's judiciary continued to suffer from a widely perceived lack of independence from political pressure during the quarter. On the bright side, the continued presence of the UN International Independent Investigation Commission (UNIIC), charged with investigating the February 2005 assassination of former Prime Minister Rafiq Hariri, gave the judiciary some much-needed backbone<sup>8</sup> in tackling this sensitive issue.

¶14. (SBU) In his report of March 15, UNIIIC Commissioner Serge Brammertz cited progress in the investigation, but stressed that Syrian cooperation would be crucial to make further headway. Four Lebanese senior security and intelligence officials arrested at the recommendation of the UNIIIC in August 2005 remained in detention for the duration of the quarter.

¶15. (SBU) On March 29, the UN Security Council unanimously adopted Resolution 1664, which calls for the establishment of a tribunal of an international character to try those accused in the Hariri case. Boutros Assaker, Acting Secretary-General of the Ministry of Foreign Affairs and

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Emigrants, welcomed the adoption of the resolution and pledged that the Lebanese government would spare no effort to conclude negotiations on the matter as quickly as possible.

¶16. (SBU) Specific MEPI programs aimed at judicial reform included an ongoing one-year project, conducted by a local MEPI partner, on monitoring judicial sentences relevant to human rights and democracy. Continued, unconditional U.S. support for the UNIIIC also had the beneficial side effect of strengthening judicial independence, since the UNIIIC provided the judiciary with political cover it needed to handle its responsibilities in the Hariri case.

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